CORPORATION—SERVICE OF PROCESS ON AGENT.—W., the general agent of B. corporation, assigned a claim which he had against the corporation to P. P. sued the corporation, service being had upon W., there being no other officer in the county upon whom service could be had. *Held*, that the service was bad. *White House Gold Mining Co.* v. *Powell* (1902), — Colo. —, 70 Pac. Rep. 679.

The court said: "It is evident that W. was interested in the result of this action. It is his claim for services that is sought to be collected. Naturally he would want plaintiff to recover, even if a failure imposed no legal liability upon him, and it would be to his interest to withhold from defendant the fact that this action was begun. We do not say that he did, or would. But the court will not sanction a doctrine that would inevitably lead to fraud, and place an agent in a position where, as between his assignee and his principal, he can not be true to the one without being, in some measure, false to the other. To hold this service good, would be as obnoxious to a sense of justice as to declare that service on a plaintiff gives the court jurisdiction of the person of the defendant." In *Mining Co.* v. *Edwards*, 103 Ill., 472, it was held that service on a corporation by leaving a copy of the summons with a director, who was complainant in the suit, gave the court no jurisdiction of the corporation, even though the said director was the only person within the jurisdiction upon whom service could be had. See also CLARK & MARSHALL ON CORPORATIONS, Vol. 1, sec. 267 and note. It is a fundamental principle of agency that notice to the agent is not notice to the principal, if the agent is acting for his own or another's interest, and adversely to the interest of his principal. MECHEM ON AGENCY, sec. 723.

DESCENT AND DISTRIBUTION—TO ILLEGITIMATES ON THE PART OF THEIR MOTHER.—Under a statute allowing illegitimates to inherit on the part of their mother as if they had been lawfully begotten of her, an illegitimate child upon the death of his mother's brother claimed an equal share in his estate, as the mother had died previous to her brother. *Held*, that the statute applied not only to the mother but to her collateral relatives as well. *Moore* v. *Moore* (1902), — Mo. —, 69 S. W. Rep. 278, 58 L. R. A. 451.

The court refuses to follow the rule as laid down by the early case of *Stevenson* v. *Sullivant*, 5 Wheaton 207, and followed by *Bent* v. *St. Verain*, 30 Mo. 268, that such statutes being in derogation of the common law must be construed strictly and that none of the disabilities of an illegitimate are removed excepting that which is stated, *i. e.* the right of inheriting from its mother; but gives a rather liberal construction to the statute in that it allows inheritance from collateral relatives. The statutes of the several states are mostly similar to the one under consideration which is a transcript of the Virginia statute which was construed by the supreme court of the United States in *Stevenson* v. *Sullivant*, *supra*. The weight of authority is in favor of the liberal construction. *Briggs* v. *Green*, 10 R. I. 495; *McGuire* v. *Brown*, 41 Iowa 650; *Gregley* v. *Jackson*, 38 Ark. 487; although there are some cases to the contrary: *Bean* v. *McBride*. 32 Vt. 585; *Pratt* v. *Atwood*, 108 Mass. 40; *Williams* v. *Kimball*, 35 Fla. 49, 26 L. R. A. 748, 16 So. 783.

EVIDENCE—DEFECTIVE SIDEWALK—JURY—MAGNIFYING GLASS.—An action was brought, by the plaintiff, to recover damages against the city of Elgin, Ill., for injuries caused by falling through a defective sidewalk. On the trial, the jury was allowed to examine the rotten wood of the sidewalk, with a magnifying glass. *Held*, reversible error. *City of Elgin* v. *Nofs* (1902), — Ill. —, 65 N. E. Rep. 679.